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6 WESTERN INSURANCE COMPANY

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10 WESTERN INSURANCE COMPANY,
11 A Utah corporation,

Case No. 3:11-CV-05578 MEJ

12 Plaintiff,

**STIPULATED MOTION FOR
DISMISSAL WITH PREJUDICE**

13 v.

14 GEO GROUT, INC., a California corporation;
15 KENNETH A. THOLIN, an individual;
16 PATRICIA A. THOLIN, an individual;
17 ENRIQUE QUILES, an individual;
18 ELIZABETH QUILES, an individual; R&K
ASSOCIATES LLC, a California corporation;
THE THOLIN REVOKABLE TRUST; and
DOES

1 through 100, inclusive,

Hon. Maria Elena James

19 Defendants.

20
21 Plaintiff Western Insurance Company, a Utah corporation, and Defendants GeoGrout, Inc.,
22 Kenneth A. Tholin, Patricia A. Tholin, Enrique Quiles, Elizabeth Quiles, R&L Associates, LLC
23 and The Tholin Revocable Trust, by and through counsel, hereby stipulate and move the Court for
24 an Order dismissing all claims that the parties have asserted against one another in this action.
25 The basis for this Motion is that the parties have come to an agreement which includes the
26 dismissal of the action. It is further agreed the parties are to bear to their own attorneys' fees and
27 costs.

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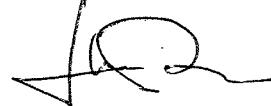
Stipulated Motion for Dismissal With Prejudice

1 A proposed Order is filed herewith.

2 Respectfully submitted,

3 Dated: October 16th, 2013

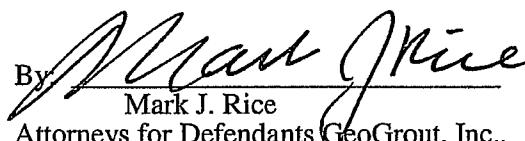
4 COZEN O'CONNOR



5 By: _____
6 Thomas M. Regan
7 Attorneys for Plaintiff Western Insurance
8 Company

9 Dated: October 16, 2013

10 McNEIL SILVEIRA RICE & WILEY

11 By: 

12 Mark J. Rice
13 Attorneys for Defendants GeoGrout, Inc.,
14 Kenneth A. Tholin, Patricia A. Tholin, Enrique
15 Quiles, Elizabeth Quiles, R&L Associates, LLC
16 and The Tholin Revocable Trust

1 **[PROPOSED] ORDER**

2 Good cause appearing,

3 **IT IS HEREBY ORDERED** that:

4 This matter comes before the Court on a Stipulated Motion to Dismiss. Based on the
5 pleadings on file with the Court, and for good cause appearing, the Court hereby Orders, Adjudges
6 and Decrees that the above matter is dismissed, with prejudice, with the parties bearing their own
7 attorneys' fees and costs.

8 **IT IS SO ORDERED.**

9
10 Dated: 10/21/2013 By:

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12 HONORABLE MARIA-ELENA JAMES
13 Chief Magistrate Judge
 United States District Court

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